

FORM PTO-1390 (Modified)  
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

64913-011300

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

10/510375

INTERNATIONAL APPLICATION NO.

PCT/EP03/04075

INTERNATIONAL FILING DATE

17 April 2003 (17/04/03)

PRIORITY DATE CLAIMED

19 April 2002 (19/04/02)

TITLE OF INVENTION **FUNCTIONAL ELEMENT FOR THE ATTACHMENT TO A SHEET METAL PART, COMPONENT ASSEMBLY MANUFACTURED FROM THIS AND ALSO A METHOD FOR THE ATTACHMENT OF A FUNCTIONAL ELEMENT TO A SHEET METAL PART**

APPLICANT(S) FOR DO/EO/US

Jiri BABEJ and Wolfgang HOESSRICH

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). **with Declaration**
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☒ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). **with Declaration**
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

**Items 13 to 20 below concern document(s) or information included:**

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☒ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Certificate of Mailing by Express Mail Label No. **EV 316896433 US**
23. ☒ Other items or information:

Copy of the first page of the published International Application No. WO 03/089187

U.S. APPLICATION NO. <b>10/510375</b>	INTERNATIONAL APPLICATION NO. <b>PCT/EP03/04075</b>	ATTORNEY'S DOCKET NUMBER <b>64913-011300</b>
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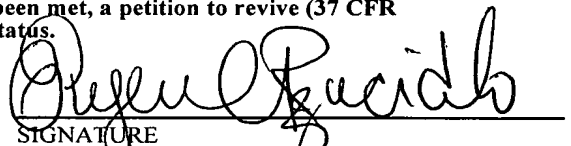
24. The following fees are submitted:.				<b>CALCULATIONS PTO USE ONLY</b>	
<b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :</b>					
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1060.00</b>					
<input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$900.00</b>					
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$750.00</b>					
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$720.00</b>					
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b>					
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>\$950.00</b>	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				<b>\$0.00</b>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	42 - 20 =	22	x \$18.00	<b>\$396.00</b>	
Independent claims	3 - 3 =	0	x \$88.00	<b>\$0.00</b>	
Multiple Dependent Claims (check if applicable)			<input checked="" type="checkbox"/>	<b>\$300.00</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1,646.00</b>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				<b>\$823.00</b>	
<b>SUBTOTAL =</b>				<b>\$823.00</b>	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				<b>\$0.00</b>	
<b>TOTAL NATIONAL FEE =</b>				<b>\$823.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).			<input type="checkbox"/>	<b>\$0.00</b>	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$823.00</b>	
				Amount to be: refunded	\$
				charged	\$

- a. ☐ A check in the amount of \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 50-1561 in the amount of \$823.00 to cover the above fees.
- c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1561
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Eugene C. Rzucidlo  
Grrenberg Traurig, LLP  
Customer No. 32361

  
SIGNATURE

Eugene C. Rzucidlo  
NAME

31,900  
REGISTRATION NUMBER

05 October 2004  
DATE

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Jiri BABEJ and Wolfgang HOESSRICH

Docket No.

64913-011300

10/510375

Group Art Unit

To be Assigned

Serial No.

To be Assigned

Filing Date

Herewith

Examiner

To be Assigned

Invention:

**FUNCTIONAL ELEMENT FOR THE ATTACHMENT TO A SHEET METAL PART, COMPONENT ASSEMBLY MANUFACTURED FROM THIS AND ALSO A METHOD FOR THE ATTACHEMENT OF A FUNCTIONAL ELEMENT TO A SHEET METAL PART**

I hereby certify that the following correspondence:

Transmittal Letter to the United States Designated/Elected Office DO/EO/US) Concerning a Filing Under 35 U.S.C. 371, duly signed. Substitute Specification with 18 pages of description, 9 pages of claims (1-42), five sheets of drawings (Figs. 1-10); Unsigned Declaration and Power of Attorney and Return Receipt Postcard

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

05 October 2004
*(Date)*
Leticia L. Gerona-Ivey
*(Typed or Printed Name of Person Mailing Correspondence)*
  
*(Signature of Person Mailing Correspondence)*
EV 316896433 US
*("Express Mail" Mailing Label Number)*

**Note: Each paper must have its own certificate of mailing.**

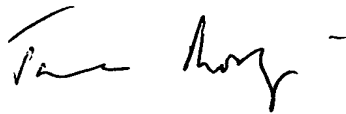
## **DECLARATION**

I, James G. Morgan, a British subject of Markgrafenstr. 8, 81827 Munich, West Germany, do hereby declare that I am conversant with the English and German languages and that I am a competent translator thereof.

I verify that the attached English translation is a true and correct translation of specification of the PCT application, PCT/EP03/04075.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signed:

A handwritten signature in black ink, appearing to read 'James G. Morgan', with a horizontal line extending to the right.

James G. Morgan

This 3rd day of September 2004